

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAE SHIK CHA,

**Plaintiff,**

V.

**UNITED STATES OF AMERICA,**

**Defendant.**

Case No. C05-1687RSL

## ORDER OF DISMISSAL

This matter comes before the Court *sua sponte*. Plaintiff, who was proceeding *pro se*, filed a Fed. R. Civ. P. 60(b)(4) motion for relief from judgment seeking to reopen his prior 28 U.S.C. § 2255 petition and vacate his sentence. After plaintiff filed his motion, the Court issued an order that was returned as undeliverable. The government subsequently informed the Court that plaintiff died on December 7, 2005. See Dkt. #9 (government's response to plaintiff's motion and certificate of death). Accordingly, plaintiff's motion is denied as moot and this case is dismissed.

DATED this 4th day of October, 2006.

Mrs Casnik

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**Robert S. Lasnik  
United States District Judge**

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